

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

CECIL JOHNSON,

Plaintiff,

v

DR. BRUCE LEVY, in his official capacities
as the Chief Medical Examiner for the
State of Tennessee and Medical
Examiner for the Metropolitan
Government of Nashville and
Davidson County, Tennessee; and

RICKY BELL, in his official capacity as
Warden, Reverend Maximum
Security Institution.

No.

DEATH PENALTY CASE

EXECUTION DATE 12/2/09 at 1:00 a.m.

MOTION TO PROCEED *IN FORMA PAUPERIS*

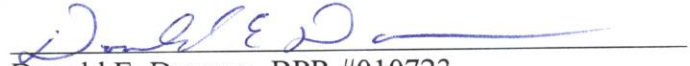
Plaintiff Cecil Johnson respectfully requests that this Court grant him leave to proceed *in forma pauperis* in the above-styled matter. In support thereof, Mr. Johnson shows:

1. Mr. Johnson is scheduled to be executed on December 2, 2009, at 1:00 a.m.
2. In the above-styled proceeding Mr. Johnson seeks to enjoin any autopsy the State intends to perform on his body.
3. Mr. Johnson has previously been found indigent by this Court. He requests permission to later file the Order permitting him to proceed *in forma pauperis*.

WHEREFORE, Mr. Johnson respectfully requests that this Court:

1. Grant him leave to proceed *in forma pauperis* in the above-styled matter; and
2. Order such other relief as this Court deems just.

Respectfully submitted,



Donald E. Dawson, BPR #010723
POST-CONVICTION DEFENDER
530 Church Street - Suite 600
Nashville, Tennessee 37243
(615) 741-9385

 with permission
D.E.D.

James Winston Tiller, BPR #023932
Tiller-Allison PLLP
501 Union St, Ste. 502
Nashville, TN 37219

CERTIFICATE OF SERVICE

I certify that on December 1, 2009, I sent a copy by email of the foregoing to:

Bob Cooper
ATTORNEY GENERAL AND REPORTER
500 Charlotte Avenue
Nashville, Tennessee 37243; and

Sue B. Cain
Director of Law
Law Department for the Metropolitan Government of
Nashville and Davidson County, Tennessee
225 Polk Avenue - Suite 210
Nashville, Tennessee 37203

